

## Remarks

### I. Status of the Application

Claims 1-46 are pending in the application. Claims 1, 11, 19, and 29 are amended. Claims 42-46 are added.

### II. Telephone Interview

Applicants thank the Examiner for conducting a telephonic interview on July 13, 2007.

During the Interview, the issue of whether or not claim 1 was anticipated by Keresman was discussed. No agreement was reached.

### III. Claim Rejections -- 35 USC § 102

Claims 1-41 have been rejected under 35 USC § 102(e) as being allegedly anticipated over U.S. Patent No. 7,051,002 ("Keresman"). Claims 1, 11, 19, and 29 are amended and the rejection is respectfully traversed.

#### *Amended Claim 1*

Claim 1 defines a method for processing an electronic payment transaction. Amended claim 1 requires "receiving, by a processor located at a merchant site, a request to process an electronic payment transaction from at least one payment terminal located at the merchant site, the request having a format type." Claim 1 has been amended to require "determining, by the processor, the format type of the request from among a plurality of predetermined second format types" and "identifying, by the processor, a host computer configured to process the determined format type from among a plurality of host computers, each

host computer being configured to process at least one of the predetermined second format types.” Claim 1 further requires “transmitting the request to the identified host computer.”

Support for the amendment to claim 1 is found at page 9, lines 18-21 and at page 12, lines 3-5, for example.

Keresman discloses a centralized merchant processing system for authenticating payments and facilitating the processing of electronic transactions by a merchant. (Col. 4, lines 45-53). A “thin-client” device located at the merchant’s site obtains information relating to a transaction, and the transaction details are sent by the thin-client to a merchant authentication processing system (“MAPS”) located at a central location (not at the merchant’s site). (Col. 5, lines 22-65). The thin-client communicates transaction data elements such as card-number, transaction amount, etc., to MAPS system. (Col. 6, lines 21-24). The thin-client is not aware of the specific processing logic or protocols prescribed for each payment authentication initiative. (Col. 6, lines 24-26). The thin-client does not hold any payment authentication specific business process logic. (Col. 6, lines 51-52).

Upon receiving payment information from a thin-client, the MAPS system determines the type of payment instrument being used based on the payment information. For example, the MAPS may determine which payment processing network a credit card belongs to from the card number. (Col. 10, lines 7-11). After determining the payment instrument type, the MAPS system authenticates the consumer. (Col. 9, lines 47-50).

Keresman does not teach or suggest receiving a request “by a processor located at a merchant site” and “determining, by the processor, the format type of the request from among a plurality of predetermined second format types,” as required by amended claim 1. In Keresman, processing of the request, including any analysis of the request’s format type, is performed by

the MAPS system, which is located at a centralized location. In Keresman, the terminal located at the merchant site is described as a “thin client” terminal and has relatively little intelligence. It is not clear from the Keresman disclosure exactly what type of processing the “thin client” terminal performs; however, it appears that the thin client terminal performs, at most, minimal processing of a payment instrument. Thus, even, if the “thin client” is able to merely detect the presence of a particular payment instrument, such as a MasterCard credit card, there is no teaching or suggestion that the “thin client” of Keresman has the ability to determine the format type of a request “from among a plurality of predetermined second format types,” as claimed. This is not a common capability found in terminals at merchant sites, as is discussed on page 2 of the Specification. (A terminal must be configured to interact with a particular computer or server. Configuring a terminal is not a simple procedure.)

Keresman also does not teach or suggest “identifying, by the processor, a host computer configured to process the determined format type from among a plurality of host computers, each host computer being configured to process at least one of the predetermined second format types,” as required by amended claim 1. As discussed above, the thin client of Keresman performs, at most, only minimal processing of a credit card request - detecting the presence of a particular type of credit card, and sending the request along to the centralized server. The thin client does not identify a host computer configured to process a particular format type from among a plurality of host computers,” as claimed.

Therefore, amended claim 1 and its dependent claims are not anticipated by Keresman.

*Amended Claim 19*

Amended claim 19 defines a system located at a merchant site for processing an electronic payment transaction. Amended claim 19 has been amended to require a processor located at a merchant site, configured to “receive a request to process an electronic payment transaction from a payment terminal located at the merchant site, the request having a format type” and “determine the format type of the request from among a plurality of predetermined second format types.” The processor is also configured to “identify a host computer configured to process the determined format type.” Amended claim 19 also requires an interface located at the merchant site, configured to “transmit the request to the identified host computer.” Support for the amendment to claim 19 is found at page 9, lines 18-21 and at page 12, lines 3-5, for example.

For the reasons set forth above, Keresman does not teach or suggest a processor configured to “determine the format type of the request from among a plurality of predetermined second format types,” as required by amended claim 19. Therefore, amended claim 19 and its dependent claims are not anticipated by Keresman.

*Amended Claims 11 and 29*

Independent claim 11 defines a method for settling a plurality of electronic payments. Amended claim 11 requires “requesting from a terminal information relating to settlement of the plurality of electronic payments.” Claim 11 has been amended to require “receiving, by a processor located at a merchant site, at least one respective data packet having settlement information for each payment of said plurality of electronic payments,” and “determining, by the processor, the format type of each respective data packet from among a

plurality of predetermined second format types.” Claim 11 further requires “identifying a host computer configured to process the determined format type of each respective data packet” and “transmitting each respective data packet to the identified host computer, wherein the identified host computer is configured to process the format type of said each respective data packet.”

Support for the amendment to claim 11 is found at page 21, lines 9-17, for example.

Claim 29 is a system claim that corresponds to amended claim 11, and has been amended in a similar manner.

For reasons similar to those discussed above, Keresman does not teach or suggest “receiving, by a processor located at a merchant site, at least one respective data packet having settlement information for each payment of said plurality of electronic payments,” and “determining, by the processor, the format type of each respective data packet from among a plurality of predetermined second format types,” as required by amended claim 11, or a processor configured to do so, as required by amended claim 29.

Therefore, amended claim 11 and its dependent claims, and amended claim 29 and its dependent claims, are not anticipated by Keresman.

#### **IV. New Claims 42-46**

##### *New Claim 42*

New claim 42 depends from amended claim 1 and further requires “receiving, by a processor located at a merchant site, a request to process an electronic payment transaction from at least one payment terminal located at the merchant site, the request having a data format type” and “determining, by the processor, the format type of the request from among a plurality of predetermined second data format types.” Support for new claim 42 is found at page 9, lines

18-21 and at page 12, lines 3-8, for example.

Keresman does not teach or suggest “determining, by the processor, the format type of the request from among a plurality of predetermined second data format types,” as required by claim 42. As discussed above, while Keresman discloses a “thin client” capable of detecting a particular payment instrument, such as a MasterCard credit card, Keresman does not teach or suggest a terminal at a merchant site capable of determining a request’s format from among multiple predetermined format types, as claimed. Therefore, new claim 42 is patentable over Keresman.

#### *New Claim 43*

New claim 43 depends from amended claim 1, and further recites “wherein the request relates to an authorization transaction.” Support for new claim 43 is found at page 3, lines 12-14, for example.

For the reasons set forth above, amended claim 1 is patentable over the cited art. Therefore, new claim 43 is also patentable over the cited art.

#### *New Claim 44*

New claim 44 defines a method to process electronic payment transactions. New claim 44 requires “receiving, by a processor located at a merchant site, a plurality of requests to process electronic payment transactions from a plurality of payment terminals located at the merchant site and separate from the processor, each request having a respective format type.” New claim 44 further requires “determining, by the processor, the format type of each request,” “identifying, by the processor, a host computer configured to process each determined format

type,” and “transmitting each request to the respective identified host computer.” Support for new claim 44 is found at pages 11-12 and 17-18, for example.

Keresman does not teach or suggest “receiving, by a processor located at a merchant site, a plurality of requests to process electronic payment transactions from a plurality of payment terminals located at the merchant site and separate from the processor, each request having a respective format type, as required by new claim 44. Therefore, new claim 44 is patentable over Keresman.

#### *New Claims 45 and 46*

New claim 45 defines a system to process electronic payment transactions. New claim 45 requires a plurality of terminals located at a merchant site, each terminal being configured to “receive a request to process one or more electronic payment transactions.” New claim 45 also requires a processor separate from the plurality of terminals and located at the merchant site configured to “receive, from the plurality of terminals, a plurality of requests to process one or more electronic payment transactions, each request having a respective format type,” “determine the format type of each request” and “identify a host computer configured to process each determined format type.” New claim 45 additionally requires an interface configured to “transmit each request to the respective identified host computer.” Support for new claim 45 is found at pages 11-12 and 17-18, for example.

New claim 46 is a method claim that corresponds to new claim 45.

Keresman does not teach or suggest a processor separate from a plurality of terminals and located at the merchant site, configured to “receive, from the plurality of terminals, a plurality of requests to process one or more electronic payment transactions, each request

having a respective format type,” and to “determine the format type of each request,” as required by new claim 45. Therefore, new claim 45, and the corresponding new method claim 46, are patentable over Keresman.

**V. Conclusion**

In view of the foregoing, each of claims 1-46 is believed to be in condition for allowance. Accordingly reconsideration of the claims and allowance of the application are respectfully requested.

Respectfully submitted,  
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